

**THIRD AMENDMENT TO NEW CASSEL/HICKSVILLE GROUNDWATER  
CONTAMINATION SUPERFUND SITE TOLLING AGREEMENT**

This Third Amendment to the Tolling Agreement for the New Cassel/Hicksville Groundwater Contamination Superfund Site ("Tolling Agreement") is entered into on this 19 day of December, 2017 between the United States of America ("United States") on behalf of the United States Environmental Protection Agency ("EPA"), and

William Gross ("Cooperating Party") (collectively, the "Parties"). The undersigned representative of each party certifies that he or she is fully authorized to enter into the terms and conditions of this Amendment to the Tolling Agreement, and to execute and bind such party to this document. The Parties agree as follows:

1. That Paragraph 1 of the Tolling Agreement shall be amended to substitute "June 30, 2018" for "December 31, 2017" so as to extend the Tolling Period without interruption from March 23, 2016 through June 30, 2018, inclusive. Paragraph 1 of the Tolling Agreement shall also be amended to delete the following language: "six months after the date EPA approves the Remedial Design Recommendations Report that is submitted by Respondents pursuant to an Administrative Agreement and Order on Consent, or, if no Administrative Agreement and Order on Consent is signed, then," and the amended Paragraph 1 shall read as follows:

The period commencing on March 23, 2016 and ending on June 30, 2018, inclusive (the "Tolling Period"), shall not be included in computing the running of any statute of limitations potentially applicable to any action brought by the United States on the Tolloed Claims.

2. That all other provisions of the Tolling Agreement remain unchanged and continue in full force and effect under the terms of the Tolling Agreement.

For the United States on behalf of  
the U.S. Environmental Protection  
Agency:

RICHARD P. DONOGHUE  
BRIDGET M. ROHDE  
Acting United States Attorney  
Eastern District of New York

Sandra L. Levy  
SANDRA L. LEVY  
Assistant United States Attorney  
Eastern District of New York  
271 Cadman Plaza East, 7<sup>th</sup> Floor  
Brooklyn, NY 11201

For WILLIAM GROSS :

William Gross  
By: \_\_\_\_\_  
TITLE: \_\_\_\_\_